

**FYI - a media FOIA on NPDES permits for O&G**

**Colleen Gillespie** to: Kate Fay, Sadie Hoskie

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From: Colleen Gillespie/R8/USEPA/US

To:

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Kate,

I want to make you aware that the Agency got a FOIA request from Elizabeth Shogren of NPR on NPDES permitting of O&G in the West. The first part of the request was a list of NPDES permits which OECA has provided. The Office of Water is the lead for the rest of the request. Here is the current scope of the second part of the request, response due July 19:

- First, she would like records relating to the development of the Agriculture and Wildlife Water Use rule (Part 435, Subpart E) which occurred roughly between 1975 and 1979, with the final rule being promulgated on April 13, 1979.
- Second, she would like documents, emails and analyses that discuss the application and interpretation of Subpart E dating roughly back to the beginning of coal bed methane (CBM) development and oil and gas well fracking in Region 8. She indicated that a search that included records from 2000 through 2012 would be adequate.

Region 8 has responsive documents. We are nearly done with the response for the rule development piece from the 1970s and OW should have that part of the response to the requestor this week. The second bullet may require a large records search. OW will ask the requestor for an extension and attempt to narrow the scope even further.

Please call Sadie or I if you have any questions.

-Colleen

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